

SENATE BILL 125
EMERGENCY BILL

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2003 Regular Session
3r0227

By: **Senators Lawlah, Giannetti, and Green**
Introduced and read first time: January 24, 2003
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 22, 2003

CHAPTER _____

1 AN ACT concerning

2 **New Prince George's County Board of Education - Student Member -**
3 **~~Authority to Vote~~ Voting Rights**

4 FOR the purpose of authorizing the student member of the New Prince George's
5 County Board of Education to vote on certain matters; authorizing the ~~New~~
6 ~~Prince George's County Board of Education to determine if the student member~~
7 ~~of the Board may vote on certain matters; and generally relating to the~~
8 ~~authority of the student member of the New Prince George's County Board of~~
9 ~~Education to vote on matters before the Prince George's Regional Association of~~
10 ~~Student Governments to establish procedures for the election of the student~~
11 ~~member; clarifying that certain provisions apply to appointed members of the~~
12 ~~Board; clarifying that a certain compensation provision does not apply to the~~
13 ~~student member; clarifying the term of the student member; making this Act an~~
14 ~~emergency measure; and generally relating to the New Prince George's County~~
15 ~~Board of Education.~~

16 BY repealing and reenacting, with amendments,
17 Article - Education
18 Section 3-108.2
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2002 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Education**

2 3-108.2.

3 (a) In this section, "Board" means the New Prince George's County Board of
4 Education.

5 (b) There is a New Prince George's County Board of Education of the Prince
6 George's County public school system.

7 (c) The New Prince George's County Board of Education consists of:

8 (1) Nine ~~{voting}~~ members jointly appointed by the Governor and the
9 County Executive from a list of qualified individuals submitted to the Governor and
10 the County Executive by the State Board; and

11 (2) One [nonvoting] student member selected under subsection (o) of
12 this section.

13 (d) Each member of the Board shall be a resident of Prince George's County.

14 (e) To the extent practicable, the membership of the Board shall reflect the
15 demographic and geographic composition of Prince George's County.

16 (f) (1) At least four of the [voting] APPOINTED members shall possess a
17 high level of knowledge and expertise concerning the successful administration of a
18 large business, nonprofit, or governmental entity and shall have served in a high level
19 management position with such an entity.

20 (2) At least two of the [voting] APPOINTED members listed in paragraph
21 (1) of this subsection shall possess a high level of expertise in managing a business.

22 (g) At least three of the [voting] APPOINTED members shall possess a high
23 level of knowledge and expertise concerning education.

24 (h) At least one [voting] APPOINTED member shall be a parent of a student
25 enrolled in the Prince George's County public school system as of the date of
26 appointment of the member.

27 (i) (1) Among the nine [voting] APPOINTED members, at least one member
28 shall also possess knowledge or experience in the education of children with
29 disabilities.

30 (2) The knowledge or experience may be derived from being the parent of
31 a child with a disability.

32 (j) (1) ~~A~~ AN APPOINTED [voting] member who is appointed after a term has
33 begun serves only for the remainder of the term and until a successor is appointed
34 and qualifies.

1 (V) TEACHER AND ADMINISTRATOR DISCIPLINARY MATTERS AS
2 PROVIDED UNDER § 6-202(A) OF THIS ARTICLE; AND

3 (VI) OTHER PERSONNEL MATTERS.

4 (4) ON AN AFFIRMATIVE VOTE OF THE MAJORITY OF THE APPOINTED
5 MEMBERS OF THE BOARD, THE BOARD MAY DETERMINE IF A MATTER BEFORE THE
6 BOARD RELATES TO A SUBJECT THAT THE STUDENT MEMBER MAY NOT VOTE ON
7 UNDER PARAGRAPH (3) OF THIS SUBSECTION.

8 [(3)] (5) Unless invited to attend by an affirmative vote of a majority of
9 the [voting members of the] APPOINTED MEMBERS OF THE Board, the student
10 member may not attend an executive session that relates to hearings on appeals of
11 special education placements, hearings held under § 6-202(a) of this article, or
12 collective bargaining.

13 (6) THE PRINCE GEORGE'S REGIONAL ASSOCIATION OF STUDENT
14 GOVERNMENTS MAY ESTABLISH PROCEDURES FOR THE ELECTION OF THE STUDENT
15 MEMBER OF THE BOARD.

16 (7) THE ELECTION PROCEDURES ESTABLISHED BY THE PRINCE
17 GEORGE'S REGIONAL ASSOCIATION OF STUDENT GOVERNMENTS ARE SUBJECT TO
18 THE APPROVAL OF THE APPOINTED MEMBERS OF THE BOARD.

19 (8) THE STUDENT MEMBER SERVES FOR A TERM OF 1 YEAR BEGINNING
20 AT THE END OF A SCHOOL YEAR.

21 (p) Any action by the Board shall require:

22 (1) A quorum of a majority of the [voting] APPOINTED members then
23 serving; and

24 (2) The affirmative vote of a majority of the [voting] APPOINTED
25 members then serving.

26 (q) A member may not be a candidate for public office while serving on the
27 Board.

28 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
29 ~~October 1, 2003.~~

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
31 measure, is necessary for the immediate preservation of the public health or safety,
32 has been passed by a yea and nay vote supported by three-fifths of all the members
33 elected to each of the two Houses of the General Assembly, and shall take effect from
34 the date it is enacted.

